

Appl. No.: 10/646,427

REMARKS/ARGUMENTS

Claims 1-3 remain on this application. Claims 1 and 2 have been amended.

The examiner has acknowledged that claims 1-3 to be anticipated by Hsu #5,372,217, Lee #5,785,147, Shupp, Jr. #6,129,178, and Cranswick et al #5,893,431. Claims 1-2 have now been amended to correct editorial errors and clear up any matters of form.

Claim 1 has been amended for the following reasons:

Hsu claims frame members, collapsible ladder, hinged door and step. Hsu's patent does not provide a platform on which a person can stand before descending the ladder.

Lee's patent also does not claim to provide a platform for a person to stand before descending the ladder. Lee's patent also utilizes a rigid frame for the ladder system. This also differs as the word flexible has been added to claim 1 in the application in question.

Shupp's patent claims a door with collapsible ladder. It does not provide a platform on the exterior of the dwelling to stand. The door is hinged vertically and is not supported via nylon straps.

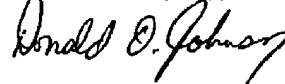
Cranswick's patent utilizes a rigid ladder on which you can ascend to a window. This is opposite the application in question since it provides a ladder to descend from an upper story window. It also provides a flexible ladder system and a platform on the exterior of the dwelling.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

1. (Amended) An assembly, comprising:

(a) an apparatus, ~~comprising~~ having;

(i) a frame mounted within an exterior wall of structure below an escape opening ~~such as a window~~; and

(ii) a hinged door pivotally attached to the frame, wherein the door pivots away from the wall from a closed position wherein the door when fully open is essentially horizontal, when in the an open position or an in-use position the movement is restricted to no greater than 90 degrees via a door support member comprised of a nylon strap with loops provided at each end and it allows allowing access to an interior storage chamber defined by the assembly, and 2 provides a step platform outside the structure, said door is supported via said support member, which ~~collapses~~ stores within the assembly while in the closed position and supports the door and a person while in the horizontal position, said support member is ~~attached~~ secured at the a first end to ~~said enclosure~~ the vertical wall of a enclosure frame, said support member is attached at the second end to said door through spaced apart apertures and secured to the strap retaining rod by placing the second loop over the strap retaining rod; and

(b) a collapsible flexible ladder ~~having a first end attached to the door through spaced apart apertures~~, comprised of nylon straps with a loop provided at the first end, the first end is attached to the door through spaced apart apertures and secured to the strap retaining rod by placing said loop over the strap retaining rod.

2. ~~An~~ The assembly as recited in ~~paragraph~~ claim 1, wherein the hinged door has an interior surface and an exterior surface, and the exterior surface of the door ~~is covered~~ can be adapted to be covered with a material matching the exterior wall of the structure.